



PATENT

DECLARATION CLAIMING SMALL ENTITY STATUS
FOR AN INDEPENDENT INVENTOR

I, David Lloyd Brown, M.D., hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled SYSTEM FOR LOCATING INFLAMED PLAQUE IN A VESSEL, as described in the patent application filed February 8, 1999, Serial No. 09/246,603.

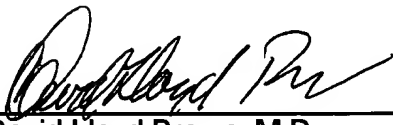
I further declare that I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license any right, title, or interest in the invention to any person, firm, or organization.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity

of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at Riverdale, New York, this 15th day of February, 1999.



David Lloyd Brown, M.D.
2521 Palisade Avenue, #9C
Riverdale, New York 10463

deccmsmlentstsinv2-08-99:clm
Docket: 11193.1.1



PATENT

DECLARATION, POWER OF ATTORNEY, AND PETITION

I, David Lloyd Brown, M.D., declare: that I am a citizen of the United States of America; that my residence and post office address is 2521 Palisade Avenue, #9C, Riverdale, New York 10463; that I verily believe I am the original, first, and sole inventor of the subject matter of the invention or discovery entitled SYSTEM FOR LOCATING INFLAMED PLAQUE IN A VESSEL, for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/246,603 on February 8, 1999; that I have reviewed and understand the contents of the above-identified specification, including the claims; and that I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending application, Serial No. 08/774,022, filed December 27, 1996; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that

these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as my attorney NEIL K. NYDEGGER, Registration No. 30,202, STEVEN G. ROEDER, Registration No. 37,227, and ARTHUR K. SAMORA, Registration No. 43,079, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

STEVEN G. ROEDER
NYDEGGER & ASSOCIATES
4350 La Jolla Village Drive, Suite 950
San Diego, California 92122
(619) 455-5700

Wherefore, I pray that a letters patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Riverdale, New York, this 15th day of February, 1999.

Inventor David Lloyd Brown
David Lloyd Brown, M.D.
2521 Palisade Avenue, #9C
Riverdale, New York 10463

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